

1 Ruth Rizkalla, Esq.
2 The Carlson Law Firm, PC
3 1500 Rosecrans Avenue, Suite 500
4 Manhattan Beach, CA 90266
5 Telephone: (254) 526-5688
6 Facsimile: (254) 526-8204
7 rizkalla@carlsonattorneys.com
8 *Attorney for Plaintiff*

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 IN RE: SOCIAL MEDIA
12 ADOLESCENT
13 ADDICTION/PERSONAL INJURY
14 PRODUCTS LIABILITY
15 LITIGATION

Case No. 4:22-md-03047-YGR

MDL No. 3047

**RUTH RIZKALLA, ESQ.'S
APPLICATION FOR A PLAINTIFF
STEERING COMMITTEE MEMBER
POSITION**

16 This Document Relates to:
17 ALL CASES

18
19
20 I, Ruth Rizkalla, hereby respectfully submit my application to the Court for
21 the appointment of a Plaintiff Steering Committee Member in this MDL. My
22 application and C.V. are attached as Exhibit A, and address the Court's criteria
23 pursuant to the Court's Order Setting Initial Conference.

24
25 ///

26 ///

27 ///

1 Dated: October 20, 2022

Respectfully submitted,

2 **THE CARLSON LAW FIRM, PC**

3 By: /s/ Ruth Rizkalla

4 Ruth Rizkalla

rrizkalla@carlsonattorneys.com

5 The Carlson Law Firm, PC

6 1500 Rosecrans Avenue, Suite 500

7 Manhattan Beach, CA 90266

8 Telephone: (254) 526-5688

9 Facsimile: (254) 526-8204

Attorney for Plaintiff

EXHIBIT A

RUTH RIZKALLA APPLICATION

I. Professional Experience in this Type of Litigation, Including MDL Experience as Lead or Liaison Counsel and/or Service on any Plaintiffs' Committees or Subcommittees

I have served and litigated in leadership roles in multiple California Judicial Council Coordinated Proceedings (JCCPs) for mass tort pharmaceutical litigations. I have been appointed Co-Liaison Counsel in the *In Re Zolof Birth Defect Cases*, JCCP 4771; Co-Liaison Counsel in the *In Re Cymbalta Withdrawal Cases*, JCCP 4825; Co-Lead Counsel in the *In Re Xarelto Products Liability Cases*, JCCP 4862; Plaintiff's Steering Committee Member in the *In Re Pradaxa Products Liability Cases*, JCCP 4863. All of these coordinated proceedings have resolved and I was able to aid in settlement discussions as well as serve on the trial team for the *Cymbalta Withdrawal* cases.

I have also litigated and served in multiple leadership roles in MDLs. I have been appointed Plaintiff's Steering Committee Member in the *In Re Combat Arms Earplugs*, MDL 2885 and was on the trial team for more than one bellwether case; Plaintiff's Steering Committee Member in the *In Re Elmiron Products Liability Cases*, MDL 2973 and am currently helping with upcoming bellwether trials; and Plaintiff's Steering Committee Member in the *In Re Paragard IUD Products Liability Litigation*, MDL 2974 where I am currently helping with the discovery process.

II. Names and Contact Information of Judges Before Whom the Applicant Has Appeared in the Matters Discussed in Response to No. 1 Above

- *In Re Zolof Birth Defect Cases*, JCCP 4771
 - The Honorable Kim Dunning, Retired
- *In Re Cymbalta Withdrawal Cases*, JCCP 4825
 - The Honorable Jane Johnson, Retired
- *In Re Xarelto Products Liability Cases*, JCCP 4862
 - The Honorable Kenneth Freeman
Los Angeles Superior Court
Spring Street Courthouse
312 North Spring Street
Los Angeles, CA 90012
(213) 310-7000

- *In Re Pradaxa Products Liability Cases*, JCCP 4863
 - The Honorable Mary Wiss
San Francisco Superior Court
400 McAllister Street
San Francisco, CA 94102
(415) 551-4000
- *In Re Combat Arms Earplugs*, MDL 2885
 - The Honorable Casey Rodgers
U.S. Courthouse
One North Palafox Street
Pensacola, FL 32502
(850) 435-8448
- *In Re Elmiron Products Liability Cases*, MDL 2973
 - The Honorable Brian Martinotti
U.S. Courthouse
402 East State Street Room 202
Trenton, NJ 08608
(973) 645-6651
- *In Re Paragard IUD Products Liability Litigation*, MDL 2974
 - The Honorable Leigh May
U.S. Courthouse
75 Ted Turner Drive, SW
Atlanta, GA 30303-3309
(404) 215-1510

III. Willingness and Ability to Immediately Commit to Time-Consuming Litigation

I am absolutely willing and able to immediately commit time to this litigation and look forward to doing the same.

IV. Willingness and Ability to Work Cooperatively with Other Plaintiffs' Counsel and Defense Counsel

There is no doubt in my mind that I am willing and able to work cooperatively with all counsel involved in this litigation.

V. Access to Resources to Prosecute the Litigation in a Timely Manner

I am a Partner at The Carlson Law Firm, and have opened and am managing its Los Angeles office. The Carlson Law Firm first opened its doors in 1976 and has more than 40 attorneys and a team of over 200 dedicated legal assistants, paralegals, legal nurses, private investigators and administrative staff. With the ample human resources available to me along with the support of my firm, I know I can prosecute these cases in a timely manner. Additionally, my firm has no current debt and has paid every MDL common benefit assessment without fail.

VI. Willing to Serve as Lead Counsel, a Member of a Steering Committee, or Both

I would like to apply for a position as Plaintiffs' Steering Committee Member.

VII. Any Other Considerations that Qualify Counsel for a Leadership Position

I was born the youngest of six children—four older brothers and one older sister—and was the proverbial runt of the litter. My parents did not speak a word of English when they fled Vietnam following the Vietnam War in 1975. When I was born in 1976, I was the first Vietnamese person to be born in Pittsburgh, Pennsylvania. My mother kept the local newspaper article detailing my birth to remind me, she says, that I am the product of my parents' grit and bravery and that my being born on American soil was nothing short of a miracle.

Because of my upbringing, I have learned many hard lessons in life that are ingrained in me, are part of my character, and will make me a fitting leader for this litigation. First, I have learned that I have to grow. No matter what I have accomplished, I strive to accomplish more every year. I have practiced law for 19 years and practiced product liability law for more than half that time. However, with this litigation, I will have the privilege of applying my knowledge and experience to the less traditional product of social media, and I am eager for the challenge. Second, I have also learned that I cannot be afraid to fight. In fact, I welcome the fight with big companies like Meta that knowingly put bad products on the market for profit in the face of people suffering harm. Representing people who are hurt has become my life's work. Third, I have learned that I must do something that matters. Given the circumstances that allowed me to be the first person in both my parents' families to be born in the United States and to become a

lawyer; my law degree has to count. And it will count if I am allowed to face off with the defendant social media companies in this litigation and hold them accountable for the countless victims in this litigation.

Attachment A: Names of Other Counsel Who Have Filed Cases in this MDL Litigation and Support the Applicant's Appointment as Lead Counsel or PSC Member

The following law firm founding partners, all of whom I have worked with extensively in other litigations, have cases filed in this MDL Litigation, and unequivocally support my appointment as PSC Member:

- Bryan Aylstock, Founding Partner of Aylstock, Witkin, Kreis and Overholtz, PLLC (A law firm with cases filed in this MDL).
- Thomas Cartmell, Founding Partner of Wagstaff and Cartmell, LLP (A law firm with cases filed in this MDL).
- Steven Gacovino, Law Office of Steven Gacovino (A law firm that has been retained and is co-counseling with firms that have filed several of the cases in this MDL).

RUTH RIZKALLA, ESQ. C.V.

**The Carlson Law Firm
1500 Rosecrans Avenue, Suite 500
Manhattan Beach, CA 90266
rrizkalla@carlsonattorneys.com
(415) 308-1915**

PERSONAL POSITIONS HELD IN COORDINATED LITIGATIONS:

Judge-appointed Co-Liaison Counsel for Zoloft JCCP 4771
Judge-appointed Co-Liaison Counsel for Cymbalta JCCP 4825
Judge-appointed Co-Lead Counsel for Xarelto JCCP 4862
Judge-appointed Plaintiff's Steering Committee Member for Pradaxa JCCP 4863
Judge-appointed Plaintiff's Steering Committee Member for 3M Earplugs MDL 2885
Judge-appointed Plaintiff's Steering Committee Member for Elmiron MDL 2973
Judge-appointed Plaintiff's Steering Committee Member for Paragard IUD MDL 2974

EXPERIENCE:

The Carlson Law Firm, (October 2020 – present)

Partner (Complex Litigation, Mass Torts, Pharmaceutical Litigation)
Actively litigating and/or settling the following drug/device/product cases: 3M Combat Arms Earplugs, Zantac, RoundUp, Valsartan, Paragard and Elmiron.

Kirtland & Packard LLP (December 2014 – October 2020)

Of Counsel (Complex Litigation, Mass Torts, Pharmaceutical Litigation)
Litigated and/or settled the following pharmaceutical drug and device cases: Cymbalta, Benicar, Bair Hugger, Zofran, Eliquis, Pradaxa, Xarelto, and Transvaginal Mesh.

Sizemore Law Firm PC (2012 - December 2014)

Senior Counsel (Complex Litigation, Mass Torts, Pharmaceutical Litigation)
Litigated and/or settled the following pharmaceutical drug and device cases: Zoloft, Prozac, Lexapro, and Paxil.

Audet & Partners LLP (2009 - 2011)

Of Counsel/Special Counsel (Business Litigation, Partnership Dissolution)

Quinn, Emanuel, Urquhart and Sullivan (2006-2009)

Attorney (Securities, Antitrust, Patent Infringement, Corporate Duties)

Visa International (2005-2006)

Attorney (Contract Negotiations)

San Francisco – Ho Chi Minh Sister City Committee (2001 – 2008)

Board of Directors Member and Attorney

EDUCATION:

University of San Francisco School of Law '02, Juris Doctor
Santa Clara University '98, Bachelor of Science
Charles University School of Law, Czech Republic, Summer of '01
Udayana University School of Law, Indonesia, Summer of '00

SPEAKING ENGAGEMENTS:

- *Elmiron MDL*; American Association for Justice Education CLE
- *Mass Torts Seminar*; American Association for Justice Education CLE
- *3M Combat Earplugs Hearing Protection – the MDL*; Harris Martin Publishing CLE Conferences
- *3M Combat Earplugs Litigation Conference: Military Discovery; Science and Other MDL 2885 Hurdles*; Harris Martin Publishing CLE Conferences
- *California Mass Tort and Class Action Conference: The Impact of Daimler and BMS-Plavix* ; Harris Martin Publishing CLE Conferences
- *Multi-district Litigation – Navigating the Landmines*; Harris Martin Publishing CLE Conferences

AWARDS AND RECOGNITIONS:

- Selected and recognized by the following professional organizations: *Super Lawyers*, *Lawyers of Distinction*, *Best Lawyers*, and *Elite Lawyer*.
- Named by *Los Angeles Magazine* as amongst a group of “Top Attorneys in Southern California”.
- Awarded The Wiley W. Manuel Pro Bono Award by The State Bar of California for volunteering significant time and expertise on behalf of low-income clients.

INTERVIEWED/FEATURED IN THE FOLLOWING PUBLICATIONS:

- *Mass Torts A to Z, Legal Industry Experts Reveal Everything Lawyers Need to Know to Start or Grow a Mass Torts Practice.*
- *‘Women Empowering Women’: Touching Base With a New Wave of Leaders on the Plaintiff-Side of the Mass Torts and MDL Bar*
- *Ruth Rizkalla Credits Judges With Diversifying MDL Leadership. ‘A Judge’s Word Is Worth So Much More.’*
- *‘I’m a Black Man’: Attorneys of Color Make Inroads in MDL Leadership*